

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:05-00060

EARL ALBERT MOORE

MOTION TO REDUCE SENTENCE PURSUANT TO RULE 35

Comes now the United States of America, by Charles T. Miller, United States Attorney for the Southern District of West Virginia, pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure, and moves the Court to reduce defendant's sentence to reflect "defendant's subsequent substantial assistance in investigating or prosecuting another person."

In support of its motion, the United States represents that the defendant EARL ALBERT MOORE has provided substantial assistance to the United States in the investigation and prosecution of other persons.

Respectfully submitted,

By: /s/CHARLES T. MILLER
CHARLES T. MILLER
United States Attorney
WV Bar No. 2551
300 Virginia Street, East
Room 4000
Charleston, WV 25301
Telephone: 304-345-2200
Fax: 304-347-5104
Email: chuck.miller@usdoj.gov

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "MOTION TO REDUCE SENTENCE PURSUANT TO RULE 35," has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this the 16th day of November, 2007, to:

Mary Lou Newberger
Federal Public Defender
Federal Public Defender's Office
300 Virginia Street, East
Charleston, West Virginia 25301

/s/CHARLES T. MILLER
CHARLES T. MILLER
United States Attorney
WV Bar No. 2551
300 Virginia Street, East
Room 4000
Charleston, WV 25301
Telephone: 304-345-2200
Fax: 304-347-5104
Email: chuck.miller@usdoj.gov